Page 1, line 24, please delete "Docket No. ENVSP025AA".

Page 1, line 27, please replace "Attorney" with --No. 08/810,620--.

Page 1, line 28, please delete "Docket No. ENVSP025AB".

REMARKS

Claims 1-20 are pending in this application after entry of this Amendment. No new matter has been added.

Claim Rejections - Statutory Double Patenting

Claims 1-14 and 16-18 were provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-14 and 16-18, of co-pending Application No. 08/798,704. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Claims 1-14 and 16-18 were also provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-14 and 16-18, of co-pending Application No. 08/799,787. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Further, claims 1-14 and 16-18 were provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-14 and 16-18, of co-pending Application No. 08/808,882. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Finally, claims 1-14 and 16-18 were provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-14 and 16-18, of co-pending Application No. 08/810,620. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Claim Rejections - Obvious-Type Double Patenting Rejections

Claims 19-20 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19-20 of co-pending Application No. 08/798,704. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Claims 19-20 were moreover provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19-20 of co-pending Application No. 08/799,787. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Further, claims 19-20 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19-20 of co-pending Application No. 08/808,882. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Finally, claims 19-20 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19-20 of co-pending Application No. 08/810,620. This rejection will be addressed when it appears that the application is otherwise in condition for allowance.

Claim Rejections - 35 USC § 102

Claims 1 and 13 were rejected under 35 U.S.C. 102(e) as being anticipated by Templeton et al. (Templeton). Applicant respectfully traverse. The claimed features of the present invention provide a cluster computer system wherein each of the cluster computers is a "Network Accessible Computer" that is controlled by a "Cluster Administration Computer" for selective access by client computers coupled to the network via that computer's web browser. The client computer users are able to run host computers from the cluster computer system as "virtual machines" through a web page, thus permitting the computing functionality to be distributed across the a wide area network, such as the Internet. In addition, the client computer users may utilize their client computer input devices as input devices for the host computers. The host

computers typically respond by providing image information which can be viewed by the client computers, for example the screen of the client computer can display the same screen as that of the host computer. In this manner, a client computer user is able to interact with applications executing on a remote host computer, essentially as if the applications were executing locally on the user's client computer. Advantageously, the present invention allows a user to access and use applications without having to actually deliver a software product to the user. Additionally, users can utilize applications without actually executing the programs locally on their client computer, thus allowing users to gain the benefits of the powerful computing ability of high end host computers without the associated cost of upgrading their client computers.

The claimed features of the present invention are not shown or reasonably suggested in the cited reference. The Templeton reference addresses an entirely different issue than how to effectively utilize client computers to access and control remote host computers as "virtual machines". The issue addressed in the cited reference is how to provide an effective health care information network. Templeton discloses having a data center (Templeton, Fig. 2, item 42), consisting essentially of a plurality of host computers (Templeton, Fig. 2, items 54 and 56), which provide services to client computers (Templeton, Fig. 2 , items 44, 46, 48, 50). In addition, Templeton discloses client computers (Templeton, Fig. 2 , items 44, 46, 48, 50) being in able to send voice and image data to each other.

However, it must be born in mind that the Templeton client computers do not act as host computers. A host computer is a computer connected to a network that provides requested services to other client computers, such as data storage, file transfer, and data processing. For example, the "Network Accessible Computers" of the present invention are host computers, they provide requested services to other client computers such as data processing and remote application execution. In contrast, the Templeton client computers (44-50) do not provide <u>any</u> services to any other computer, rather they utilize the host computers of the data center (42) for services such as data storage, and file transfer. Although the Templeton client computers send data to each other, this data is not requested by a another client computer and then provided as a service by the Templeton client (44-50), rather a user

of one client simply decides to transfer data to another client (i.e., the transfer is not in response to a request for service).

In light of the above definitions, nowhere in the Templeton reference is there disclosed or reasonably suggested a system where network accessible computers "implement host computer program means which permit the network accessible computers to operate as host computers for client computers...such that image information generated by said host computers can be viewed by said client computers", as claimed by Applicant. Templeton simply fails to disclose host computers generating image information that can be viewed by client computers. As described above, the only host computers in Templeton are those located at the data center (Templeton, Fig. 2, items 54 and 56). Templeton does not disclose any of these host computers generating image data that can then be viewed by the client computers. As stated above, the present invention advantageously allows users to utilize applications on host computers without actually executing the programs locally on their client computer. Thus, users gain the benefits of the powerful computing power of high end host computers without the associated cost of upgrading their client computers.

In view of the foregoing, it is clear that the art of record neither teach nor reasonably suggest the Applicant's claimed invention. Accordingly, it is respectfully submitted that claims 1 and 13 are patentable over the art of record.

Claims 2-12 and 14-18 all depend directly or indirectly from independent claims 1 and 13 respectively. Accordingly, they are each submitted to be patentable over the art of record for at least the reasons set forth above with respect to independent claims 1 and 13. These claims add further limitations, which when considered in light of the claimed combination, further patentably distinguish the present invention from the art of record.

Claim 19 was rejected under 35 U.S.C. 102(e) as being anticipated by Fielden et al. (Fielden). Applicant respectfully traverses. Simply nowhere in Fielden is there taught or reasonably suggested a non-terrestrial node which "includes a host computer that can be controlled from a terrestrial node due to a host computer program means implemented on the host computer," as claimed by Applicant. Fielden teaches

satellites in communication with ground based computers. However, the non-terrestrial nodes (satellites) of Fielden do not operate as host computers, nor can they be controlled from a terrestrial node due to a host computer program means. Furthermore, Fielden does not disclose non-terrestrial nodes (satellites) being "capable of transmitting and receiving TCP/IP compatible data packets," as claimed by Applicant.

In view of the foregoing, it is clear that the art of record neither teach nor reasonably suggest the Applicant's claimed invention. Accordingly, it is respectfully submitted that claim 19 is patentable over the art of record.

Claim 20 depends directly from independent claim 19. Accordingly, claim 20 is submitted to be patentable over the art of record for at least the reasons set forth above with respect to independent claim 19. Claim 20 adds further limitations, which when considered in light of the claimed combination, further patentably distinguish the present invention from the art of record.

In view of the foregoing, Applicant respectfully request reexamination and reconsideration of claims 1-20 and submit that all pending claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. In the event that the Examiner believes that a telephone conference would expedite the prosecution of this application, the undersigned may be reached at (650) 470-7430.

Respectfully submitted,
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